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10 Counsel for Cathay Pacific Airways Ltd.

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12 UNITED STATES DISTRICT COURT
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14 NORTHERN DISTRICT OF CALIFORNIA
15
16 SAN FRANCISCO DIVISION
17

18 IN RE TRANSPACIFIC PASSENGER AIR
19 TRANSPORTATION ANTITRUST
20 LITIGATION

CASE NO. 07-CV-5634-CRB

MDL No. 1913

STIPULATION AND [PROPOSED]
ORDER REGARDING CERTAIN
DEFENDANTS' RESPONSES TO
PLAINTIFFS' SECOND AMENDED
CLASS ACTION COMPLAINT

21 This Document Relates to:
22 ALL ACTIONS

23 WHEREAS, following the Court's Order on Motions to Dismiss on October 4, 2011 (Dkt.
24 556), Plaintiffs filed a First Amended Class Action Complaint ("FAC") on July 14, 2011 (Dkt.
25 493);

26 WHEREAS, the Defendants filed answers to the FAC on November 15, 2011;

27 WHEREAS, on October 15, 2013, the Plaintiffs filed a Motion for Leave to Amend to
28 substitute named class representative, with a copy of their proposed Second Amended Class
Action Complaint attached (Dkt. 735);

WHEREAS, on October 29, 2013, Defendants filed an Opposition to Plaintiffs' Motion for

Stipulation and Order Regarding Certain
Defendants' Responses to the Second Amended
Complaint

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1 Leave to Amend (Dkt. 736);

2 WHEREAS, on November 22, 2013, the Court entered an Order regarding the Plaintiffs'
3 Motion for Leave to Amend, which granted the Plaintiffs' motion and ruled that the Second
4 Amended Class Action Complaint be filed (Dkt 742);

5 WHEREAS, the Plaintiffs and Defendants have agreed that, given the substantial overlap
6 and the nature of the amendments between the SAC and the FAC, Defendants' previously filed
7 Answers to the FAC shall be deemed sufficient for responding to the SAC;

8 NOW THEREFORE IT IS HEREBY STIPULATED, by and between the undersigned
9 counsel for the parties, that Defendants' previously filed Answers to the FAC shall be deemed
10 sufficient for purposes of responding to the SAC. This means that to the extent an undersigned
11 Defendant admitted, denied or objected to, in full or in part, any allegation in the FAC, that
12 Defendant shall be deemed to have admitted, denied or objected to, in full or in part, the same
13 substantive allegation set forth in the SAC. This also means that all defenses asserted in the FAC
14 are also asserted against the SAC.

15
16 IT IS SO STIPULATED.

17 **COTCHETT, PITRE & McCARTHY, LLP**

18 Joseph W. Cotchett
19 Steven N. Williams

20 By: _____
21 Steven N. Williams
22 *Interim Co-Lead Counsel for Plaintiffs*

23 **HAUSFELD, LLP**

24 Michael D. Hausfeld
25 Michael P. Lehmann
26 Christopher Lebsock

27 By: _____
28 Christopher Lebsock
Interim Co-Lead Counsel for Plaintiffs

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DLA PIPER LLP
David H. Bamberger
Deana L. Cairo

By: /s/David H. Bamberger
David H. Bamberger
Counsel for Defendant Cathay Pacific Airways

SQUIRE SANDERS & DEMPSEY, LLP
James V. Dick

By: /s/James V. Dick
James V. Dick
Counsel for Defendant China Airlines

KIRKLAND & ELLIS LLP
James H. Mutchnik

By: /s/James H. Mutchnik
James H. Mutchnik
Counsel for Defendant EVA Airways

CRAVATH, SWAINE & MOORE LLP
Rowan D. Wilson
Lauren Rosenberg

By: /s/Rowan D. Wilson
Rowan D. Wilson
*Counsel for Defendant Thai Airways
International Public Co., Ltd.*

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ATTESTATION CLAUSE

I, Deana Cairo, hereby attest in accordance with Civil Local Rule 5-1(i)(3) the above-listed counsel have provided concurrence with the electronic filing of the foregoing document entitled STIPULATION AND [PROPOSED] ORDER REGARDING CERTAIN DEFENDANTS' ANSWERS TO THE SECOND AMENDED COMPLAINT.

DATED: December 6, 2013

/s/Deana L. Cairo

Deana L. Cairo
DLA PIPER LLP (US)
Counsel for Defendant Cathay Pacific Airways
Ltd.

IT IS SO ORDERED.

DATED: Dec 11, 2013



HONORABLE CHARLES R. BREYER
UNITED STATES DISTRICT COURT JUDGE

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